



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Order 96-11-26
Served 12/3/96

Issued by the Department of Transportation
on the 26th day of November, 1996

Agreement Among Member Carriers of the : Docket OST-96-1314
International Air Transport Association : R-2 through R-5,
concerning cargo services matters : R-7,
----- R-9 through R-11

ORDER

The International Air Transport Association (IATA) has filed an agreement with the Department for approval and exemption from antitrust laws under sections 41309 and 41308 of Title 49 of the United States Code. The agreement was adopted at the Eighteenth Meeting of IATA's Cargo Services Conference (CSC) held in Cairo during March 6-7, 1996. 1/

The agreement consists of a number of resolutions and recommended practices R.P's) affecting cargo services. 2/3/ They address various documentation, handling and technical procedures involved in processing cargo shipments. Included are revised technical standards to facilitate the exchange between carriers, agents and/or shippers of messages concerning shipments; procedures for disbursements; validation check formats for air waybill data entries; and practices for transferring Unit Load Devices (ULD'S). These proposals encompass non-substantive changes, essentially of a technical, clarifying or administrative nature, to existing approved resolutions and recommended practices. These changes to approved IATA cargo services rules appear to be in conformity with our substantive policies and concerns.

Section 41309 of the Code directs us to approve any agreement or modification of an agreement if we find that it will not

1/ IATA memorandum CSC/Reso/001.

2/ The resolutions and recommended practices are listed in the attached Appendix, along with their subject matter and areas of applicability.

3/ Amendments to Resolutions 600e (R-1) and 660 (R-6) and Recommended Practice 1600f (R-8), as well as new Recommended Practice 1670 (R-12) will be dealt with in a separate order.

substantially lessen competition, and is not adverse to the public interest or in violation of the Code. We find that those resolutions, incorporated in the agreement in Docket OST-96-1314 and listed in the attached Appendix, are not adverse to the public interest, in violation of the Code, or likely to lessen competition substantially, and that they should be approved, subject, where applicable, to previously imposed conditions.

Furthermore, we conclude that the approved resolutions and recommended practices contained in the agreement should be granted immunity from the operation of the antitrust laws to the extent necessary to permit their implementation. The approved material amends existing provisions already approved and immunized by the Department. As a result, none raises immunity issues not previously considered, and the conferral of immunity upon them is consistent with our policy of conferring immunity on amendments coextensively with the underlying agreements.

Pursuant to the authority duly assigned under the Department's Regulations 14 CFR 385.13:

We do not find that Resolutions R-2 through R-5, R-7, and R-9 through R-11, of the agreement in Docket OST-96-1314, as set forth in attached Appendix, are adverse to the public interest, in violation of the Act, or likely to lessen competition substantially.

ACCORDINGLY ,

1. We approve R-2 through R-5, R-7, and R-9 through R-11 of the agreement in Docket OST-96-1314, as listed in the attached Appendix, under 49 U.S.C. 41309, subject, where applicable, to previously imposed conditions; and

2. To the extent that R-2 through R-5, R-7, and R-9 through R-11 of the agreement in Docket OST-96-1314 are approved, we exempt any person affected by this order from the operation of the antitrust laws as provided in 49 U.S.C. 41308.

Persons entitled to petition the Department for review of this order, under 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Department of Transportation upon expiration of the above period, unless within such period a petition for review is filed or the Assistant Secretary for Policy and International Affairs gives

notice that he will review this order on his own motion.

By:

Paul L. Gretch
Director, Office of International Aviation

(**SEAL**)

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<http://www.dot.gov/general/orders/aviation.html>*

Docket OST-96-1314	IATA Designator	Title of IATA Resolution Affected	Expiry Date
R-2	CSC(18)603	Notice of Non-Delivery (Irregularity Report)(IRP) (Amending)	Indefinite
R-3	CSC(18)610	Interline Tracer (Amending)	Indefinite
R-4	CSC(18)612a	Cargo Charges Correction Advice (Amending)	Indefinite
R-5	CSC(18)614	Procedures for Disbursements (Amending)	Indefinite
R-7	CSC(18)670	Cargo Interchange Message Procedures (Cargo-IMP) (Amending)	Indefinite
R-9	CSC(18)1600r	Air Waybill-Validation of Data Format (Amending)	
R-10	CSC(18)1612a	Cargo Charges Correction Advice (CCA) Procedures (Amending)	
R-11	CSC(18)1654	Unit Load Device Control Receipt (Amending)	